

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

NAKIA LEA MICHAEL,

Plaintiff,

VS.

KILOLO KIJAKAZI, *the Acting  
Commissioner of Social Security,*

Defendant.

Case No. 4:20-cv-00893-MTS

## MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Application for Attorney's Fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. Doc. [22]. Plaintiff asks to be awarded \$8,474.06 for 42.4 hours of attorney work. In response, Defendant represents that she and Plaintiff have agreed to an award of EAJA fees and expenses in the amount of \$7,994.40. Doc. [25]. The Court will award Plaintiff \$7,994.40 to be paid by the Social Security Administration. *See* 28 U.S.C. § 2412. This amount is subject to any allowable offset to satisfy any pre-existing debt Plaintiff owes to the United States. If Plaintiff owes an outstanding debt to the United States, and such debt is subject to offset, Defendant shall offset the debt and send the remainder (if any) of the award to Plaintiff through Plaintiff's attorney.

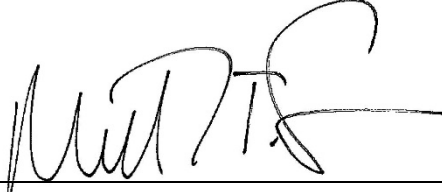
Plaintiff also seeks costs in the amount of \$400 to cover the filing fee. Doc. [22-4] at 4. Defendant agrees that Plaintiff should be compensated for the filing fee. Doc. [25]. Defendant notes that this fee should not be paid as an expense under EAJA but instead should be paid from the Judgment Fund administered by the United States Treasury. *See* 28 U.S.C. § 2412(a). The Court will award the filing fee as costs. *See* 28 U.S.C. § 1920.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Application for Attorney's Fees, Doc. [22], is **GRANTED in part**. EAJA fees and expenses in the amount of \$7,994.40 shall be paid by the Social Security Administration in accordance with the EAJA and this Memorandum and Order.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Bill of Costs, Doc. [22], is **GRANTED**. The Clerk shall tax costs in the amount of \$400.00, which shall be paid to Plaintiff from the Judgment Fund administered by the United States Treasury.

Dated this 27th day of June, 2022.



---

MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE